

COPY

Docket No: 33,383-00
Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re of Application of: Randall K. Holmes et al.
Serial No.: 09/806,370 Group Art No.: To be Assigned
Filed: September 30, 1999 Examiner: To be Assigned
For: Mutant Cholera Holotoxin as an Adjuvant
Confirmation No.: 8568
Customer Number: 25291

Commissioner for Patents
Box DD
Washington, DC 20231

INFORMATION DISCLOSURE STATEMENT

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In accordance with 37 CFR 1.97 and 1.98, Applicants submit herewith patents, publications, or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR 1.56. This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) the information is material to the examination of this application; (iii) additional information material to the examination of this application does not exist; (iv) the information, protocols, results and the like reported by third parties are accurate or enabling; or (v) the information constitutes prior art to the subject invention.

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This Information Disclosure Statement

- a. ☐ is filed within three months of the filing date of the application.
- b. ☒ is filed before the mailing date of a first Office Action on the merits.
- c. ☐ is filed before the mailing date of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.
- d. ☐ is filed after the period specified in 2(a), 2(b) or 2(c) above, but before the mailing date of a final action under 37 CFR 1.311. This statement includes a certification under 37 CFR 1.97(e) or the fee set forth in 37 CFR 1.17(p).
- e. ☐ is filed after the mailing date of a final action or Notice of Allowance but before payment of the issue fee. This statement includes (i) a certification under 37 CFR 1.97(e), and (ii) the fee set forth in 37 CFR 1.17(p).

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Prior application is Serial Number _____, filed on _____ of _____ for _____.

6. ☐ Concise Explanation
Documents cited above which are not in the English Language
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7. Form PTO-1449 is enclosed in duplicate.
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- a. ☒ Fee for filing under 37 CFR 1.97(c) or (d) Fee: \$180.00
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Substitute for form 144B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Complete if Known		
			Application Number	09/806370	
			Filing Date	September 30, 1999	
			First Named Inventor	Randall K. Holmes	
			Group Art Unit		
Examiner Name					
Sheet	1	of	1	Attorney Docket Number	33,383-00

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number (If known)	Kind Code (If known)			
✓	1.	5182109		Tamura	01-26-1993	

FOREIGN PATENT DOCUMENTS								
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		Office	Number	Kind Code (If known)				
✓	2.	PCT	WO 93/13202		Domenighini	07-08-1993		<input type="checkbox"/>
✓	3.	PCT	WO 96/06627		Clements	03-07-1996		<input type="checkbox"/>
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✓	5.	PCT	WO 97/05267		King	02-13-1997		<input type="checkbox"/>
✓	6.	PCT	WO 98/45324		McGhee	10-15-1998		<input type="checkbox"/>
✓	7.	PCT	WO 97/29771		Fontana	08-21-1997		<input type="checkbox"/>
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OTHER PRIOR ART — NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.		T
✓	10.	JOBLING, MICHAEL G., Analysis of the Structure and Function of Cholera Toxin A Subunit, Abstracts of the General Meeting-1991, American Society for Microbiology, p. 59, Abstract No. B-205.		<input type="checkbox"/>
	11.	GLINEUR, CORINE, Importance of ADP-Ribosylation in the Morphological Changes of PC12 Cells Induced by Cholera Toxin, Infection and Immunity, Oct. 1994, pp. 4176-4185, Vol. 62, No. 10.		<input type="checkbox"/>
✓	12.	LYCKE, N., Strong Adjuvant Properties of Cholera Toxin on Gut Mucosal Immune Responses to Orally Presented Antigens, Immunology, 1986, pp. 301 - 308, Vol. 59.		<input type="checkbox"/>
✓	13.	MCKENZIE, SARA J., Cholera Toxin B Subunit as a Carrier Protein to Stimulate a Mucosal Immune Response, The Journal of Immunology, October 1984, pp. 1818 - 1824, Vol. 133, No. 4.		<input type="checkbox"/>
✓	14.	MEKALANOS, JOHN J., Cholera Toxin Genes: Nucleotide Sequence, Deletion Analysis and Vaccine Development, Nature, December 8, 1983, pp. 551 - 557, Vol. 306.		<input type="checkbox"/>
✓	15.	NEDRUD, JOHN, Oral Immunization Against Respiratory Viruses in Mice, Advances in Mucosal Immunology, 1995, Vol. 371B, pp. 1595 - 1598.		<input type="checkbox"/>
✓	16.	ELSON, CHARLES O., Generalized Systemic and Mucosal Immunity in Mice After Mucosal Stimulation with Cholera Toxin, The Journal of Immunology, June 1984, pp. 2736 - 2741, Vol. 132, No. 6.		<input type="checkbox"/>
✓	17.	ELSON, CHARLES O., Cholera Toxin Feeding Did Not Induce Oral Tolerance in Mice and Abrogated Oral Tolerance to an Unrelated Protein Antigen, The Journal of Immunology, December 1984, pp. 2892 - 2897, Vol. 133, No. 6.		<input type="checkbox"/>
✓	18.	RICHARDS, C.M., Enhancement of the Immune Response to Non-replicating Herpes Simplex Virus Type-1 Preparations by Mucosal Administration in the Presence of Cholera Toxin, Vaccine, 1997, pp. 1065 - 1069, Vol. 15, No. 10.		<input type="checkbox"/>
✓	19.	YAMAMOTO, SHINGO, Mutants in the ADP-ribosyltransferase Cleft of Cholera Toxin Lack Diarrheagenicity but Retain Adjuvanticity, J. Exp. Med., April 7, 1997, pp. 1203-1210, Vol. 185, No. 7.		<input type="checkbox"/>

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.